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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE 23ANDME, INC. CUSTOMER DATA
SECURITY BREACH LITIGATION

CASE NO. 3:24-md-03098-EMC

**JOINT STATUS UPDATE IN RESPONSE TO
ORDER (ECF NO. 168)**

1 On December 4, 2024, the Court issued an order (ECF No. 160) conditionally granting the Motion
2 for Preliminary Approval (ECF No. 103) and ordering 1) the Settling Parties to report back on whether
3 modifications have been made consistent with the Court's December 4, 2024 Order; and 2) the Settling
4 Parties and Arbitrating Objectors to report back on the language of a notice to be issued to individuals
5 seeking arbitration who have been excluded from the class definition, within two weeks.

6 On December 18, 2024, the Settling Parties requested the Court allow 23andMe until
7 January 17, 2025, to consider and advise the Court whether it can proceed with the modified settlement
8 terms. ECF No. 161. The Court granted the request on December 20, 2024. ECF No. 162.

9 On January 15, 2025, the Settling Parties advised the Court that they were scheduled to attend a
10 mediation with attorneys representing the Arbitrating Objectors and the attorneys representing the State
11 Court Objectors with Randall Wulff on January 22, 2025. The Settling Parties requested the Court allow
12 the Settling Parties to report back to the Court two weeks after the January 22, 2025 Mediation, by
13 February 5, 2025, regarding the status of settlement negotiations and to advise the Court whether the
14 Settling Parties can proceed with the modified settlement terms, or, in the event 23andMe elects not to
15 proceed with the modified settlement, to propose a deadline for 23andMe's response to the Consolidated
16 Amended Complaint. ECF No. 163. The Court granted the request on January 15, 2025. ECF No. 164.

17 Since attending the mediation on January 22, 2025, 23andMe has been in communication with the
18 attorneys representing the Arbitrating Objectors and the attorneys representing the State Court Objectors
19 regarding resolution of their claims. On February 5, 2025, 23andMe requested an additional 9 days—to
20 February 14, 2025—to report to the Court regarding the status of settlement negotiations and to advise the
21 Court whether 23andMe can proceed with the modified settlement terms. The Court granted the request on
22 February 6, 2025. ECF No. 166. On February 14, 2025, 23andMe requested an additional 14 days, until
23 February 28, 2025, to advise the Court whether 23andMe can proceed with the modified settlement terms.
24 The Court granted the request on the same day, February 14, 2025, and ordered that if 23andMe does not
25 accept the modified settlement terms, then the parties shall immediately meet and confer regarding a
26 briefing schedule and hearing date for a motion to dismiss. ECF No. 168.

27 23andMe continues to confer with the Arbitrating Objectors and State Court Objectors. 23andMe
28 requires 12 more days, to March 12, 2025, while it is in discussions with the Arbitrating Objectors and the

State Court Objectors to advise the Court whether it will go forward with the modified settlement terms. If 23andMe agrees to go forward with the modified settlement terms, the Settling Parties will present to the Court the modified notice (ECF No. 160) on or before March 14, 2025.

Plaintiffs have no objection to an extension through March 7, 2025, but propose that if 23andMe does not accept the modified settlement terms on or before March 7, 2025, the following deadlines shall apply:

Deadline to respond to the Consolidated Class Action Complaint: April 8, 2025

Deadline to file a response to any Motion to Dismiss: May 8, 2025

Deadline to file a reply in support of any Motion to Dismiss: May 29, 2025

23andMe does not object to the above proposed schedule, should the Court enter a schedule for responsive pleadings deadlines at this time.

The parties have agreed to meet and confer on further scheduling deadlines in the event 23andMe does not accept the modified settlement terms.

Dated: February 28, 2025

/s/ Gayle M. Blatt

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